## CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Force		Discourt.	☐ U.S.
Lydia Woolley		Squad #13	202105089	☐ Abus	e 🗹	O.L.	☐ Injury
Incident Date(s)		Location of Incident:		Precino	et: 18	Mo. SOL	EO SOL
Thursday, 08/26/2021 11:01 AM		Over the phone		84	2	/26/2023	2/26/2023
Date/Time CV Reported		CV Reported At:	How CV Reported:	Date/	Time Rec	eived at CCI	RB
Thu, 08/26/2021 11:52 AM		CCRB	On-line website	Thu, (	Thu, 08/26/2021 11:52 AM		
Complainant/Victim	Type	Home Addre	ess				
Subject Officer(s)	Shield	TaxID	Command				
1. DTS Samantha Sturman	03035	947521	084 PCT				
Witness Officer(s)	Shield N	o Tax No	Cmd Name				
1. POF Jamie Williamson	05873	955666	084 PCT				
Officer(s)	Allegatio	on			Investig	ator Recon	nmendation
A.DTS Samantha Sturman	Off. Language: Detective Samantha Sturman made remarks to \$87(2)(b) based upon the gender of \$87(2)(b)						
B.DTS Samantha Sturman	Discourtesy: Detective Samantha Sturman spoke discourteously to \$87(2)(b)						
C.DTS Samantha Sturman	Discourtesy: Detective Samantha Sturman acted discourteously toward \$87(2)(b)						

## **Case Summary** On August 26, 2021, § 87(2)(b) filed this complaint via the CCRB website. This case was added to the agency's sensitive case list due to an article about this incident posted to StreetsBlog NYC on October 18, 2021 (Board Review 11). On August 26, 2021, at 11:01 a.m., Detective Samantha Sturman called § 87(2)(b) s cell phone to discuss 311 complaints he had filed. Det. Sturman called \$87(2)(b) a "dickhead" Allegation B: Discourtesy, § 87(2)(g) (Allegation A: Offensive Language, § 87(2)(g) and hung up the phone (Allegation C: Discourtesy, \$87(2)(9) No arrest or summons resulted from this incident. provided an audio recording of the phone call, which he recorded on his cell phone, to the investigation. The audio recording is in IA #3 (Board Review 01) and summarized in IA #7 (Board Review 02). There is no body worn camera (BWC) footage of this incident. The nature of the incident did not require the use of BWC as per the Patrol Guide. **Findings and Recommendations** Allegation (A) Offensive Language: Detective Samantha Sturman made remarks to based upon the gender of § 87(2)(b) Allegation (B) Discourtesy: Detective Samantha Sturman spoke discourteously to \$87(2)(b) Allegation (C) Discourtesy: Detective Samantha Sturman acted discourteously toward [887(2)(b)] testified that, on the morning of the incident, he filed approximately 20 complaints via 311 regarding illegally parked vehicles (**Board Review 03**). Det. Sturman called [887(2)(6)] at 11:01 a.m. His statement was largely consistent with an audio recording of the phone call he provided when he filed this complaint. In the audio recording, Det. Sturman introduces herself by rank, last name, and command (**Board Review 01**). She asks if \$87(2)5 would like to come into the precinct to speak with community affairs and neighborhood coordination officers about his 311 complaints. § 87(2)(b) says he would not like to come in and that Det. Sturman can address his concerns by not parking in the bike lane. Str(2) says it is Det. Sturman's job to stop people from parking in bicycle lanes. At $00:\overline{55}$ , § 87(2)(b) says, "Go fuck off." At 00:58, Det. Sturman says, "Stop calling, dickhead," and the recording ends. Det. Sturman said she was on patrol with her partner, Police Officer Jamie Williamson of the 84<sup>th</sup> Precinct, when she was assigned \$87(2)(b) so five complaints which he had filed that morning (Board Review 04). Det. Sturman called \$87(2)(b) on speakerphone from her patrol car, Her description of the dialogue in the beginning of the call was largely consistent with the recording, though she quoted § 87(2)(b) as saying, "Do your fucking job and fuck off, bitch." Without further conversation, she hung up the phone because there was "nothing else to say." Initially, Det. after he said "fuck off." When presented Sturman did not recall saying anything to \$87(2)(b) with the audio recording, Det. Sturman acknowledged that she said, "Stop calling, dickhead." She said that, during the phone call, she thought she had hung up after \$87(2)(b) said "fuck off." She meant to make the "dickhead" comment about \$87(2)(b) to PO Williamson after hanging

NYPD <u>Patrol Guide</u>, Procedure 200-02, notes that officers must render their services with courtesy and civility (**Board Review 05**). NYPD <u>Patrol Guide</u>, Procedure 203-10, notes that members of the service are prohibited from using discourteous or disrespectful remarks regarding someone's gender (**Board Review 06**). During stressful street encounters where an officer is attempting to maintain control of the situation, profane remarks may not constitute misconduct. However, gratuitous use of

up with § 87(2)(b)

profane language is unprofessional in other situations. <u>DCT Case #2018-18950</u> (**Board Review** 

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nothing left to him, "Stop cal she she had diseng comment and did not in fact offensive in the term is researched."	say." The audio recording con- ling, dickhead." Though Det. So acknowledged making the star aged the call prior to making the provided an audio recording of disengage the call prior to mak at it refers specifically to male	the comment being made proves the ing the statement. The term "dickhed genitalia. As defined by Merriam-V contemptible, or annoying man" (B)	ging up, she told age at aid she believed heard the at Det. Sturman ead" is inherently Webster dictionary,
§ 87(2)(b), § 87(2)(g)			
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• § 87(2)(b)	<u>Civilian and (</u>	Officer CCRB Histories	
3, 27, (27, (27)			
		ce for 13 years and has been a subject f which were substantiated. [887(2)(g)	ect in four CCRB
	and seven uneganesis, neme e		
	Mediation, Ci	vil, and Criminal Histories	
	laint was not suitable for medi-	ation.	
		City Office of the Comptroller has r this complaint ( <b>Board Review 08</b> ).	
• § 87(2)(b)	ciaini being med in regards to	uns complaint (Board Review 00).	
Squad:	_13		
Investigator:	Lydia Woolley Signature	Inv. Lydia Woolley Print Title & Name	10/25/2021 Date
	Signature	Time Time & Maille	Date

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Squad Leader:Laura KastnerIM Laura Kastner10/25/2021SignaturePrint Title & NameDate